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The time period for reply, if any, is set in the attached communication.

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 10/539,648
Filing Date: December 17, 2007
Appellant(s): OWLETT ET AL.

Jack P. Friedman
Registration No. 44, 688
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed on 12 October 2010 appealing from the Office action

mailed 17 February 2010.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings

which will directly affect or be directly affected by or have a bearing on the Board's decision in

the pending appeal.

(3) Status of Claims

The following is a list of claims that are rejected and pending in the application:

Claims 1, 27-31, 34-39, and 42-47 are rejected and pending in the application.

(4) Status of Amendments After Final

The examiner has no comment on the appellant's statement of the status of amendments

after final rejection contained in the brief.

(5) Summary of Claimed Subject Matter

The examiner has no comment on the summary of claimed subject matter contained in

the brief.

(6) Grounds of Rejection to be Reviewed on Appeal

The examiner has no comment on the appellant's statement of the grounds of rejection to

be reviewed on appeal. Every ground of rejection set forth in the Office action from which the

appeal is taken (as modified by any advisory actions) is being maintained by the examiner except

for the grounds of rejection (if any) listed under the subheading "WITHDRAWN

REJECTIONS." New grounds of rejection (if any) are provided under the subheading "NEW

GROUNDS OF REJECTION."

(7) Claims Appendix

The examiner has no comment on the copy of the appealed claims contained in the

Appendix to the appellant's brief.

(8) Evidence Relied Upon

7,099,846 B1	Ishibashi	4-2000
5,995,625 A1	Sudia	3-1997

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1, 27-31, 34-39 and 42-47 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Ishibashi et al. (US Patent. No: 7,099,846 B1), and further in view of Sudia et

al. (US Patent 5,995,625)

As to claim 1, Ishibashi teaches **a method for generating a conditional electronic**

signature, performed in response to one or more conditions being specified for an

electronic signature of a data item (see Ishibashi col. 23 lines 20—25 and Fig. 26, electronic

signatures stored for conditions to the information/data item)**, the method comprising: the data**

item to generate a digest of the data item (see Ishibashi col. 15 lines 5—7, generating

message/data digest); **hashing each condition of the one or more conditions separately from**

each other and separately from the data item, mad to generate one or more condition

digests respectively corresponding to the one or more conditions (see Ishibashi col. 23 lines

20—25 and Fig 26 each record/data item has separate condition signature and it is separate from

the data item); **setting a reference digest equal to the digest of the data item** (see Ishibashi col.

23 lines 20—25 and Fig. 26, electronic signatures stored for conditions to the information/data

item); Ishibashi does not explicitly teach the following, **a computer iteratively processing a**

unique condition digest of the one or more condition digests in each iteration of a loop for a

sufficient number of iterations to process all of said condition digests, however Sudia teaches

(see Fig. 1, and col. 7 lines 30—35 unique conditions, acceptance phrase and optionally other

data can first be combined and then their combination can be digested repeatedly/iteratively) ,

said processing in each iteration comprising concatenating the reference digest with the

unique condition digest of the iteration to generate a concatenand and hashing the

concatenand to generate a hashed concatenand that serves as the reference digest for the

next iteration if the next iteration is performed (see Sudia Fig. 2, Fig. 8 and col. 8 line 55—

59, a hash of the acceptance phrase/condition is combined/concatenated with a hash of the

issuing policy statement/condition repeatedly with other key information such as random value

to form key value) , **each unique condition digest being a different condition digest in each**

iteration of the loop (se Sudia col. 5 lines 13—26 , multiple condition, acceptance phrase and

data may be different and create unique digest and the process repeat itself), **the regenerated**

reference digest of the last iteration of the loop being last digest (see Sudia col. 19 lines 57—

67, wrapped signature/digest condition, product or data be wrapped creating a series of wrapped

data); **and encrypting the last digest to generate a digital signature block that represents the**

data item and the one or more conditions and enables cryptographic verification of both

the data item and the one or more conditions, said encrypting comprising signing the last

digest with a digital signature (se Sudia Fig. 8 and col. 11 lines 45—64, multiple condition,

acceptance phrase and data may be wrapped combined hashed and encrypted)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

current invention to combine the teachings of Ishibashi and Sudia to create the invention as

claimed. The teachings are all directed to digital content and access condition hashing,

encryption and digital signature, as is the current application – therefore, the teachings are in an

analogous art. Further, it would have been obvious to one of ordinary skill in the art that using

iteration combining/concatenating the hashed conditions until encrypting the last digest with a

digital signature. It would have been clear to one of ordinary skill in the art that iteratively

wrapping the hashed conditions and encrypting the wrap with digital signature increases security

and integrity.

As to 27, the combination of Ishibashi and Sudia teaches **the method, wherein said**

signing is performed by a signer and represents acceptance of the data item by the signer

subject to the one or more conditions (see Sudia col. 2 lines 61—65, a particular pass phrase

indicating acceptance of conditions of digital data)

As to 28, the combination of Ishibashi and Sudia teaches **the method, wherein said**

signing is performed by a signer and represents acceptance of the data item by the signer,

and wherein said acceptance is not subject to the one or more conditions (see Sudia col. 8

lines 32—42 the subscriber accept and digitally sign acceptance of conditions)

As to 29, the combination of Ishibashi and Sudia teaches **the method, said method**

further comprising: generating a communication, wherein the communication comprises

the digital signature block, the data item, and the one or more conditions; and sending the

communication across a network to a recipient (see Sudia col. 19, lines 37—46, sending

wrapped digital data and conditions over a network including digital signature)

As to 30, the combination of Ishibashi and Sudia teaches **the method, said method**

further comprising: generating a communication, wherein the communication comprises

the digital signature block and does not comprise the data item and does not comprise the

one or more conditions; and sending the communication across a network to a recipient

(see Sudia col. 12, lines 1—7, key value digital signature is sent to verify the wrapped content

and condition)

As to 31, the combination of Ishibashi and Sudia teaches **the method, wherein the**

method further comprises: hashing a new condition to generate a digest of the new

condition; concatenating the digital signature block with the digest of the new condition to

generate a new digest; hashing the new digest to generate a hashed new digest; and

encrypting the hashed new digest to generate a new digital signature block that represents

the data item, the one or more conditions, and the new condition and enables cryptographic

verification of the data item, the one or more conditions, and the new condition (se Sudia

Fig. 8 and col. 11 lines 45—64, multiple condition, acceptance phrase and data may be wrapped

combined hashed and encrypted)

As to 32, the combination of Ishibashi and Sudia teaches **the method, wherein the one**

or more conditions consists of one condition (se Sudia Fig. 8 and col. 11 lines 45—64,

multiple condition, acceptance phrase and data may be wrapped combined hashed and

encrypted)

As to 33, the combination of Ishibashi and Sudia teaches **the method, wherein the one or more conditions is a plurality of conditions** (se Sudia Fig. 8 and col. 11 lines 45—64, multiple condition, acceptance phrase and data may be wrapped combined hashed and encrypted)

As to claim 34, Ishibashi teaches **a computer program product, comprising a machine-readable recording medium having program code recorded thereon, said program code upon being executed by a data processing apparatus causes the data processing apparatus to perform a method for generating a conditional electronic signature, performed in response to one or more conditions being specified for an electronic signature of a data item** (see Ishibashi col. 23 lines 20—25 and Fig. 26, electronic signatures stored for conditions to the information/data item), **said method comprising: hashing the data item to generate a digest of the data item; hashing each condition of the one or more conditions separately from each other and separately from the data item to generate one or more condition digests respectively corresponding to the one or more conditions** (see Ishibashi col. 23 lines 20—25 and Fig 26 each record/data item has separate condition signature and it is separate from the data item); **setting a reference digest equal to the digest of the data item** (see Ishibashi col. 23 lines 20—25 and Fig. 26, electronic signatures stored for conditions to the information/data item); **a data processing apparatus iteratively processing a unique condition digest of the one or more condition digests in each iteration of a loop for a sufficient number of iterations to process all of said condition digests** however Sudia teaches (see Fig. 1, and col. 7 lines 30—35 unique conditions, acceptance phrase and optionally other data can first be combined and then their combination can be digested repeatedly/iteratively),

said processing in each iteration comprising concatenating the reference digest with the unique condition digest of the iteration to generate a concatenand and hashing the concatenand to generate a hashed concatenand that serves as the reference digest for the next iteration if the next iteration is performed (see Sudia Fig. 2, Fig. 8 and col. 8 line 55—59, a hash of the acceptance phrase/condition is combined/concatenated with a hash of the issuing policy statement/condition repeatedly with other key information such as random value to form key value), **each unique condition digest being a different condition digest in each iteration of the loop** (se Sudia col. 5 lines 13—26 , multiple condition, acceptance phrase and data may be different and create unique digest and the process repeat itself), **the regenerated reference digest of the last iteration of the loop being a last digest** (see Sudia col. 19 lines 57— 67, wrapped signature/digest condition, product or data be wrapped creating a series of wrapped data); **and encrypting the last digest to generate a digital signature block that represents the data item and the one or more conditions and enables cryptographic verification of both the data item and the one or more conditions, said encrypting comprising signing the last digest with a digital signature** (se Sudia Fig. 8 and col. 11 lines 45—64, multiple condition, acceptance phrase and data may be wrapped combined hashed and encrypted)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the current invention to combine the teachings of Ishibashi and Sudia to create the invention as claimed. The teachings are all directed to digital content and access condition hashing, encryption and digital signature, as is the current application – therefore, the teachings are in an analogous art. Further, it would have been obvious to one of ordinary skill in the art that using

iteration combining/concatenating the hashed conditions until encrypting the last digest with a digital signature. It would have been clear to one of ordinary skill in the art that iteratively wrapping the hashed conditions and encrypting the wrap with digital signature increases security and integrity.

As to claim 35, the combination of Ishibashi and Sudia teaches **the computer program product, wherein said signing is performed by a signer and represents acceptance of the data item by the signer subject to the one or more conditions** (see Sudia col. 2 lines 61—65, a particular pass phrase indicating acceptance of conditions of digital data)

As to claim 36, the combination of Ishibashi and Sudia teaches **the computer program product, wherein said signing is performed by a signer and represents acceptance of the data item by the signer, and wherein said acceptance is not subject to the one or more conditions** (see Sudia col. 8 lines 32—42 the subscriber accept and digitally sign acceptance of conditions)

As to claim 37, the combination of Ishibashi and Sudia teaches **the computer program product, said method further comprising: generating a communication, wherein the communication comprises the digital signature block, the data item, and the one or more conditions; and sending the communication across a network to a recipient** (see Sudia col. 19, lines 37—46, sending wrapped digital data and conditions over a network including digital signature)

As to claim 38, the combination of Ishibashi and Sudia teaches **the computer program product, said method further comprising: generating a communication, wherein the**

communication comprises the digital signature block and does not comprise the data item and does not comprise the one or more conditions; and sending the communication across a network to a recipient (see Sudia col. 12, lines 1—7, key value digital signature is sent to verify the wrapped content and condition)

As to claim 39, the combination of Ishibashi and Sudia teaches **the computer program product, wherein the method further comprises: hashing a new condition to generate a digest of the new condition; concatenating the digital signature block with the digest of the new condition to generate a new digest; hashing the new digest to generate a hashed new digest; and encrypting the hashed new digest to generate a new digital signature block that represents the data item, the one or more conditions, and the new condition and enables cryptographic verification of the data item, the one or more conditions, and the new condition** (se Sudia Fig. 8 and col. 11 lines 45—64, multiple condition, acceptance phrase and data may be wrapped combined hashed and encrypted

As to claim 40, the combination of Ishibashi and Sudia teaches **the computer program product, wherein the one or more conditions consists of one condition** (se Sudia Fig. 8 and col. 11 lines 45—64, multiple condition, acceptance phrase and data may be wrapped combined hashed and encrypted)

As to claim 41, the combination of Ishibashi and Sudia teaches **the computer program product, wherein the one or more conditions is a plurality of conditions** (se Sudia Fig. 8 and col. 11 lines 45—64, multiple condition, acceptance phrase and data may be wrapped combined hashed and encrypted)

As to claim 42, Ishibashi teaches **a data processing apparatus comprising a computer
and a machine-readable recording medium coupled to the computer, said recording
medium storing program code that when executed by the computer causes the computer to
perform a method for generating a conditional electronic signature, performed in response
to one or more conditions being specified for an electronic signature of a data item** (see
Ishibashi col. 23 lines 20—25 and Fig. 26, electronic signatures stored for conditions to the
information/data item), **said method comprising: hashing the data item to generate a digest
of the data item** (see Ishibashi col. 15 lines 5—7, generating message/data digest); **hashing
each condition of the one or more conditions separately from each other and separately
from the data item to generate one or more condition digests respectively corresponding to
the one or more conditions** (see Ishibashi col. 23 lines 20—25 and Fig 26 each record/data item
has separate condition signature and it is separate from the data item); **setting a reference digest
equal to the digest of the data item** (see Ishibashi col. 23 lines 20—25 and Fig. 26, electronic
signatures stored for conditions to the information/data item); Ishibashi does not explicitly teach
the following, **a data processing apparatus iteratively processing a unique condition digest
of the one or more condition digests in each iteration of a loop for a sufficient number of
iterations to process all of said condition digests** however Sudia teaches (see Fig. 1, and col.
7 lines 30—35 unique conditions, acceptance phrase and optionally other data can first be
combined and then their combination can be digested repeatedly/iteratively), **said processing in
each iteration comprising concatenating the reference digest with the unique condition
digest of the iteration to generate a concatenand and hashing the concatenand to generate a
hashed concatenand that serves as the reference digest for the next iteration if the next**

iteration is performed (see Sudia Fig. 2, Fig. 8 and col. 8 line 55—59, a hash of the acceptance

phrase/condition is combined/concatenated with a hash of the issuing policy statement/condition

repeatedly with other key information such as random value to form key value), **each unique**

condition digest being a different condition digest in each iteration of the loop (se Sudia col.

5 lines 13—26 , multiple condition, acceptance phrase and data may be different and create

unique digest and the process repeat itself), **the regenerated reference digest of the last**

iteration of the loop being a last digest (see Sudia col. 19 lines 57— 67, wrapped

signature/digest condition, product or data be wrapped creating a series of wrapped data); **and**

encrypting the last digest to generate a digital signature block that represents the data item

and the one or more conditions and enables cryptographic verification of both the data

item and the one or more conditions, said encrypting comprising signing the last digest

with a digital signature (se Sudia Fig. 8 and col. 11 lines 45—64, multiple condition,

acceptance phrase and data may be wrapped combined hashed and encrypted)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

current invention to combine the teachings of Ishibashi and Sudia to create the invention as

claimed. The teachings are all directed to digital content and access condition hashing,

encryption and digital signature, as is the current application – therefore, the teachings are in an

analogous art. Further, it would have been obvious to one of ordinary skill in the art that using

iteration combining/concatenating the hashed conditions until encrypting the last digest with a

digital signature. It would have been clear to one of ordinary skill in the art that iteratively

wrapping the hashed conditions and encrypting the wrap with digital signature increases security

and integrity.

As to claim 43, the combination of Ishibashi and Sudia teaches **the data processing apparatus, wherein said signing is performed by a signer and represents acceptance of the data item by the signer subject to the one or more conditions** (see Sudia col. 2 lines 61—65, a particular pass phrase indicating acceptance of conditions of digital data)

As to claim 44, the combination of Ishibashi and Sudia teaches **the data processing apparatus, wherein said signing is performed by a signer and represents acceptance of the data item by the signer, and wherein said acceptance is not subject to the one or more conditions** (see Sudia col. 8 lines 32—42 the subscriber accept and digitally sign acceptance of conditions)

As to claim 45, the combination of Ishibashi and Sudia teaches **the data processing apparatus, said method further comprising: generating a communication, wherein the communication comprises the digital signature block, the data item, and the one or more conditions; and sending the communication across a network to a recipient** (see Sudia col. 19, lines 37—46, sending wrapped digital data and conditions over a network including digital signature)

As to claim 46, the combination of Ishibashi and Sudia teaches **the data processing apparatus, said method further comprising: generating a communication, wherein the concatenation comprises the digital signature block and does not comprise the data item and does not comprise the one or more conditions; and sending the communication across a network to a recipient** (see Sudia col. 12, lines 1—7, key value digital signature is sent to verify the wrapped content and condition)

As to claim 47, the combination of Ishibashi and Sudia teaches **the data processing apparatus, wherein the method further comprises: hashing a new condition to generate a digest of the new condition; concatenating the digital signature block with the digest of the new condition to generate a new digest; hashing the new digest to generate a hashed new digest; and encrypting the hashed new digest to generate a new digital signature block that represents the data item, the one or more conditions, and the new condition and enables cryptographic verification of the data item, the one or more conditions, and the new condition** (se Sudia Fig. 8 and col. 11 lines 45—64, multiple condition, acceptance phrase and data may be wrapped combined hashed and encrypted)

As to claim 48, the combination of Ishibashi and Sudia teaches **the data processing apparatus, wherein the one or more conditions consists of one condition** (se Sudia Fig. 8 and col. 11 lines 45—64, multiple condition, acceptance phrase and data may be wrapped combined hashed and encrypted)

As to claim 49, the combination of Ishibashi and Sudia teaches **the data processing apparatus, wherein the one or more conditions is a plurality of conditions** (se Sudia Fig. 8 and col. 11 lines 45—64, multiple condition, acceptance phrase and data may be wrapped combined hashed and encrypted)

(10) Response to Argument

Claims 1, 34, and 42

Regarding appellants' argument with respect to claims **1, 34 and 42**: Ishibashi in view of Sudia does not teach or suggest the feature: "hashing the data item to generate a digest of the

data item; … setting a reference digest equal to the digest of the data item; ... said processing in each iteration comprising concatenating the reference digest with the unique condition digest of the iteration to generate a concatenand"

The Examiner respectfully disagrees with appellant for the following reasons: the appelant argued the cited claim limtations refferd to the same data item due to antecedent basis considerations and that is being violated by the combination of Ishibashi and Sudia. However the combination is made to teach the underline technology that could be applied in order to realize the claimed limitations, it is not made to teach the prticular data item. One of ordenary skilled in the art would understand that the technique could be applied to the same data item or multiple data items. In addition the technique of "hashing the data item to generate the digest of the data item" is taught by Sudia (see Sudia col. 5, lines 15-19, digest function such as a hashing function or the like is applied to the data by CPU); "setting a reference digest equal to the digest of the data item" is taught by Sudia (see Sudia col. 17, lines 22-26, digital certificate, signature, or other message "including digest of the data" which contains a wrapped field or component may contain a reference identifier or locator to assist the recipient in obtaining the required terms and conditions document); and "said processing in each iteration comprising concatenating the reference digest with the unique condition digest of the iteration to generate a concatenand" is taught by Sudia (see Sudia Fig. 2, Fig. 8 and col. 8 line 55—59, a hash of the acceptance phrase/condition is combined/concatenated with a hash of the issuing policy statement/condition repeatedly with other key information such as random value to form key value)

Regarding appellants' argument with respect to claims **1, 34 and 42**: Ishibashi and in view of Sudia does not teach or suggest the feature: "said processing in each iteration comprising concatenating the reference digest with the unique condition digest of the iteration to generate a concatenand"

The Examiner respectfully disagrees with appellant for the following reasons: the appellant assert that the cited referance does not disclose concatenating has as claimed, however the appellant pointed out Sudia teaches combining and combinining is broader than concatenating and that means concatination is included in combination that is concatination is a subset of combining. In addition Ishibashi teachtes concatenation (see Ishibashi col. 27, lines 44-45, concatenation R1.parallel.R2 encrypted with its own public key)

Regarding appellants' argument with respect to claims **1, 34 and 42**: Ishibashi and in view of Sudia does not teach or suggest the feature: "iteratively processing a unique condition digest of the one or more condition digests in each iteration of a loop for a sufficient number of iterations to process all of said condition digests, said processing in each iteration comprising concatenating the reference digest with the unique condition digest of the iteration to generate a concatenand and hashing the concatenand to generate a hashed concatenand that serves as the reference digest for the next iteration if the next iteration is performed, each unique condition digest being a different condition digest in each iteration of the loop, the regenerated reference digest of the last iteration of the loop being a last digest..., wherein the one or more conditions is a plurality of conditions"

The Examiner respectfully disagrees with appellant for the following reasons: As the appellant

indicated on his argument Sudia teaches digest of conditions, digest of acceptance phrase,

hashing of conditions, combine the data and the hashed conditions, and wrap using encryption

key (see Sudia Fig. 9-12 and col. 12, lines 53-59, the wrap key is formed from the combination

of the hashes of the conditions and the hashes of the acceptance phrases). In addition the

document could be wrapped using hash chaining, that is iteratively (see Sudia col. 17, lines 10-

14, hash chaining, such as by including a hash of the previous database record in the current one,

and then including a hash of the current record in the next record, and so on). As to each

condition being unique (see Sudia col. 19 lines 57— 67, the document could be wrapped either

in its entirety, or as to its signature under another set of conditions, giving rise to a chain of

conditions that must be assented)

Regarding appellants' argument with respect to claims **1, 34 and 42**: Ishibashi and in

view of Sudia does not teach or suggest the feature: "the regenerated reference digest of the last

iteration of the loop being a last digest; and encrypting the last digest to generate a digital

signature block that represents the dat item and the one or more conditions and enables

cryptographic verification of the data item and the one or more conditions, said encrypting

comprising signing the last digest with a digital signature, wherein the one or more conditions is

a plurality of conditions"

The Examiner respectfully disagrees with appellant for the following reasons: Appellant

assert that the preceding claimed feature requires that the last reference digest to be signed with a

digital signature. Sudia teaches that digital signiture used to signe the last reference digest (see

Suidia Fig. 6A Subscribers certificate box 60, CA signature). That is signing the last digest with a digital signature.

Claims 27, 35 and 43

Regarding appellants' argument with respect to claims **27, 35 and 43**: Ishibashi and in view of Sudia does not teach or suggest the feature: "wherein said signing is performed by a signer and represents acceptance of the data item by the signer subject to the one or more conditions"

The Examiner respectfully disagrees with appellant for the following reasons: Appellant assert that the pass phrase indicating acceptance of conditions of digital data is unrelated to the claimed limitation. However, (see Sudia col. 2 lines 61-65, a particular pass phrase indicating acceptance of conditions of digital dat). A person with ordinary skill in the art would not be able to assertain a substantive difference between the claimed limitation and the cited referance. In addition appellant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

Claims 28, 36 and 44

Regarding appellants' argument with respect to claims **28, 36 and 44**: Ishibashi and in view of Sudia does not teach or suggest the feature: "wherein said signing is performed by a signer and represents acceptance of the data item by the signer, and wherein said acceptance is not subject to the one or more conditions"

The Examiner respectfully disagrees with appellant for the following reasons: Appellant

assert that the pass phrase indicating acceptance of conditions of digital data is unrelated to the

claimed limitation. However, However, (see Sudia col. 2 lines 61-65, a particular pass phrase

indicating acceptance of conditions of digital dat). A person with ordinary skill in the art would

not be able to assertain a substantive difference between the claimed limitation and the cited

referance. In addition appellants' arguments fail to comply with 37 CFR 1.111(b) because they

amount to a general allegation that the claims define a patentable invention without specifically

pointing out how the language of the claims patentably distinguishes them from the references.

Claims 29, 36 and 45

Regarding appellants' argument with respect to claims **29, 37 and 45**: Ishibashi and in

view of Sudia does not teach or suggest the feature: "generating a communication, wherein the

communication comprises the digital signature block, the data item and the one or more

conditions; and sending the communication across a network to a recipient"

The Examiner respectfully disagrees with appellant for the following reasons: Appellant

assert that the cited referance does not teach the claimed limitation. However, (see Sudia col 19,

lines 37-46, sending wrapped digital data and conditions over a network including digital

singnature). A person with ordinary skill in the art would not be able to assertain a substantive

difference between the claimed limitation and the cited referance. In addition appellants'

arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that

the claims define a patentable invention without specifically pointing out how the language of

the claims patentably distinguishes them from the references.

Claims 30, 38 and 46

Regarding appellants' argument with respect to claims **30, 38 and 46**: Ishibashi and in view of Sudia does not teach or suggest the feature: "generating a communication, wherein the communication comprises the digital signature block and does not comprise the data item and does not comprise the one or more conditions; and sending the communication across a network to a recipient"

The Examiner respectfully disagrees with appellant for the following reasons: Appellant assert that the cited referance does not teach the claimed limitation. However, (see Sudia col. 12, lines 1-7, key value digital signature is sent to verify the wrapped content and condition). Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the appellant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. Appellant should consider the entire prior art as applicable as to the limitations of the claims. It is respectfully requested from the appellant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner

Claims 31, 39 and 46

Regarding appellants' argument with respect to claims **31, 39 and 47**: Ishibashi and in view of Sudia does not teach or suggest the feature: "hashing a new condition to generate a

digest of the new condition; concatenating the digital signature block with the digest of the new

condition to generate a new digest; hashing the new digest to generate a hashed new digest; and

encrypting the hashed new digest to generate a new digital signature block that represents the

data item, the one or more conditions, and the new condition and enables cryptographic

verification of the data item, the one or more conditions, and the new condition"

The Examiner respectfully disagrees with appellant for the following reasons: Appellant

assert that the cited referance does not teach the claimed limitation. However, (see Sudia Fig. 8

and col. 11 lines 45—64, multiple condition, acceptance phrase and data may be wrapped

combined hashed and encrypted). Examiner has pointed out particular references contained in

the prior arts of record in the body of this action for the convenience of the appellant. Although

the specified citations are representative of the teachings in the art and are applied to the specific

limitations within the individual claim, other passages and figures may apply as well. Appellant

should consider the entire prior art as applicable as to the limitations of the claims. It is

respectfully requested from the appellant, in preparing the response, to consider fully the entire

references as potentially teaching all or part of the claimed invention, as well as the context of

the passage as taught by the prior arts or disclosed by the examiner

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related

Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/NEGA WOLDEMARIAM/

Examiner, Art Unit 2433

Conferees:

/VIVEK SRIVASTAVA/

Supervisory Patent Examiner, Art Unit 2433

/Brandon S Hoffman/

Primary Examiner, Art Unit 2433